

Sentencing Policy Study Committee

Minutes of meeting on October 30, 2003

MEMBERS IN ATTENDANCE:

Rep. William Crawford
Sheila Hudson
Joseph Koenig
Larry Landis
Sen. David Long
Hon. David Matsey
Todd McCormack
Luke Messer
Hon. Tanya Walton Pratt
Hon. Judith Proffitt
Evelyn Ridley-Turner

I. Call to Order

Sentencing Policy Study Committee Chair, Sen. David Long, called the meeting to order and introduced the Committee members present. Sen. Long stated that the purpose of this meeting was to become more educated about probationary practices.

II. Overview of Meeting Topic by Jim Hmurovich

Jim Hmurovich, contract staff for the Committee, stated that the purpose of his presentation was to provide basic introductory information and statistics about probation and to provide reference materials concerning probation. Mr. Hmurovich's discussion was based on a document he distributed to the Committee members entitled "Selected Quick Facts about Probation in Indiana." After providing a brief discussion of the document, Mr. Hmurovich received no questions and concluded his presentation.

III. Lessons and Best Practices: Joseph Koenig, Executive Director ICJI

Joe Koenig discussed different sentencing structures being used in other jurisdictions. The main sentencing structure discussed was a presumptive grid sentencing structure. The presumptive grid structure, which is in use in Kansas, allowed for easier policy decisions because legislatures could adjust sentences as needed. While it might take several years to obtain complete results, Mr. Koenig stated that Kansas expected a long-term cost saving. Mr. Koenig stated that a large portion of the research done in this area was completed by the Vera Institute. Committee members asked basic questions about the Vera Institute and were told that the Institute's purpose was to review proposed legislation and make recommendations and that their work was helpful for strategy and "big picture" purposes.

IV. *Overview of the Role of the Indiana Judicial Center and Probation: Jane Siegel, Executive Director Indiana Judicial Center*

Jane Siegel provided the Committee with an overview and background of probation. Ms. Siegel distributed two documents to the Committee members, one being the 2002 Indiana Judicial Service Report Probation Report and the other being the Indiana Probation Standards and Guidelines. Some of the main points made by Ms. Siegel were that probation is traditional diversion, the number of felons on probation was increasing, and probation officers were the eyes and ears of judges. Ms. Siegel further stated that although there were not any real statistics, there was a shortage of probation officers in the state. Based on questions received from Committee members, Ms. Siegel discussed the differences between probation and parole. Ms. Siegel's presentation concluded with some discussion concerning why probationers fail (technical violations or new crimes).

V. *The Unified Probation Model: Susan Lightfoot, Chief Probation Officer Henry County*

Ms. Lightfoot first went through the setup of the Henry County probation office, including a discussion of the duties of the particular staff members. Ms. Lightfoot stated that Henry County, like many other counties, was operating well under the needed number of probation officers. It was further stated that Henry County focuses on children and families by assigning one judge to hear all the cases from one family. Committee members stated that with the current number of probation officers in the state, too many individuals were being placed on probation and judges need to be able to release someone from probation before they have completed the entire probationary term.

VI. *The Court Services Model: Linda Brady, Chief Probation Officer Monroe County*

Linda Brady discussed the court services model that is used in Monroe County. Using two handouts as a guide, Ms. Brady went through the organizational structure, placing specific attention on the drug court program. Ms. Brady stated that one of the benefits of using this model was decreased operational costs due to the fact that several divisions share the costs of space, equipment, and other operational expenses. While discussing the successes and problems with the court services model, Ms. Brady again pointed to the drug court as a successful aspect of the model and stated that the probation department needed to become less reliant on user fees for funding because of the unstable nature of the funding source.

VII. *The Allen County Project: Hon. John Surbeck, Allen County Superior Court Criminal Division*

Hon. John Surbeck presented information about the Reentry Court in Allen County. Judge Surbeck provided Committee members with a document about the reentry court. Due to high rates of recidivism in the Fort Wayne area, Judge Surbeck and others decided to form the reentry court in the hopes that the

recidivism rate could be decreased. Judge Surbeck stated that the program seems to be working as planned based on an approximate 40% recidivism rate, while the national average is around 60%. Judge Surbeck further pointed out that most of those individuals who do reoffend usually do so by committing a less serious offense. The importance of an effective risk/needs assessment was discussed with a particular focus placed on the LSI-R assessment. While recognizing that Indiana's sentencing structure might not be perfect, Judge Surbeck cautioned the Committee to be careful before replacing the current system. Members of the Committee stated that they were very impressed with the Allen County reentry program, stating that it was well received in the community and that the initiative had developed an excellent employment program.

VIII. Meeting Adjourned

Due to the Legislature's special session during November, Sen. Long stated that December 11, 2003, would be the date of the next Committee meeting and thanked everyone for their testimony.